

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN MCSHANNOCK, et al.,

Plaintiffs,

v.

JP MORGAN CHASE BANK N.A.,

Defendant.

Case No. 18-cv-01873-EMC

**ORDER FOR SUPPLEMENTAL
BRIEFING ON DEFENDANT'S
MOTION TO DISMISS**

Docket No. 38

Defendant has moved to dismiss this case, in part based on the argument that Plaintiffs' claims under Section 2954.8(a) of the California Civil Code are preempted by the Home Owners' Loan Act ("HOLA"). Having considered the briefing and argument on the motion, the Court hereby orders the parties to submit supplemental briefing addressing the following two questions.

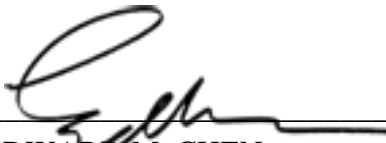
(1) Whether there is legislative history indicating that Congress, in enacting HOLA, contemplated that HOLA-governed mortgage loans originating with federal savings associations would be resold on the secondary market.

(2) Whether HOLA-governed mortgage loans were in fact resold at the time HOLA was enacted in 1933, and if so, how common the practice was.

The supplemental briefs shall be filed within two weeks of the date of this order, and each party's brief shall not exceed 5 pages.

IT IS SO ORDERED.

Dated: September 11, 2018


EDWARD M. CHEN
United States District Judge